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November 23, 2005 Date	 Travis M. Wohlers

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kathryn Sykes, Katherine Hale
And Stephen Johnston

Group Art Unit: 1645

Examiner: Rodney Swartz

Serial No.: 10/688,058

Atty. Dkt. No.: MCRO:003US

Filed: October 17, 2003

For: METHODS AND COMPOSITIONS FOR
VACCINATION COMPRISING NUCLEIC
ACID AND/OR POLYPEPTIDE
SEQUENCE OF THE GENUS BORRELIA

RESPONSE TO RESTRICTION REQUIREMENT DATED JUNE 24, 2005

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

This paper is submitted in response to the Restriction Requirement dated June 24, 2005 for which the date for response was July 24, 2005.

A request for a four-month extension of time to respond is included herewith along with the required fee. This four-month extension will bring the due date to November 24, 2005 which is within the six-month statutory period. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee under

37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski L.L.P. Account No.: 50-1212/MCRO:003US.

In response to the Restriction Requirement, Applicants elect, without traverse, to prosecute the Group II invention, *i.e.* claims 31, 32, 34 and 44-51. Claims 33 and 35-43 are therefore withdrawn from consideration at this time. Applicants note that by including claim 31 in the lists of both the Group I and Group II claims, the Examiner has indicated that claim 31 links all of the pending Group I and Group II claims. Applicants reserve the right to have the Group I claims re-entered into prosecution in this case once the Group II claims are found to be allowable.

In response to the species election requirement, Applicants elect SEQ ID NO:8. Applicants would point out that SEQ ID NO:8 comprises the amino acid sequence of SEQ ID NO:6 (*see* Table 2, which begins on page 89 of the specification). Therefore, in view of the election of the species of antigens or fragments thereof having a sequence of SEQ ID NO:8, claims directed to SEQ ID NO:6, are subspecific claims within the specific claims directed to antigens or fragments thereof of SEQ ID NO:8. No additional search is required to search SEQ ID NO:6 if SEQ ID NO:8 is searched. Claims 31, 32, 34 and 44-51 read on the elected species.

As noted in the Restriction Requirement, Applicants are entitled to consideration of claims to additional species upon the allowance of a generic claim.

The Examiner is invited to contact the undersigned attorney at 512-536-5654 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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Date: November 23, 2005